



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q79633

Helmut HAIDNER, et al.

Appln. No.: 10/766,014

Group Art Unit: Not Yet Assigned

Confirmation No.: 2263

Examiner: Not Yet Assigned

Filed: January 29, 2004

For: APPARATUS AND METHOD FOR MEASURING THE WAVEFRONT OF AN  
OPTICAL SYSTEM

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION FILED UNDER 37 CFR 1.53(B) - FILING DATE GRANTED**

**MAIL STOP MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

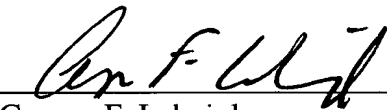
In response to the "Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b) - Filing Date Granted," for the above application, Applicant respectfully submits herewith a copy of the Declaration for the above identified application properly executed by the inventors. Also enclosed please find a Submission of Replacement Drawings, a Submission of an English translation with a statement of accuracy and a copy of an executed Assignment with PTO Form 1595, as well as a Preliminary Amendment with Substitute Specification and an Excess Claim Fee Payment Letter.

Response to Notice to File Missing Parts  
USSN 10/766,014

Checks for the statutory fee of \$130.00, the English translation surcharge of \$130.00, the recordation fee of \$40.00, and the excess claim fee of \$190.00 are attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

**The executed documents are being filed on Monday, August 16, 2004. Since the due date for filing these documents fell on a Sunday, the filing of the documents on August 16, 2004, is considered timely.**

Respectfully submitted,



George F. Lehnigk  
Registration No. 36,359

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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: August 16, 2004



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**SUBMISSION OF REPLACEMENT DRAWINGS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith please find five (5) sheets of the replacement drawings in compliance with 37 C.F.R. § 1.84. The Examiner is respectfully requested to acknowledge receipt of these drawings. The submitted drawings are believed to obviate the Formalities indicated on the Notice to File Missing Parts.

Respectfully submitted,

George F. Lehnigk  
Registration No. 36,359

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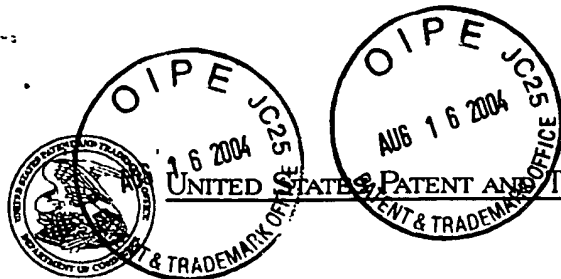
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/766,014	01/29/2004	Helmut Haidner	Q79633

CONFIRMATION NO. 2263

23373  
 SUGHRUE MION, PLLC  
 2100 PENNSYLVANIA AVENUE, N.W.  
 SUITE 800  
 WASHINGTON, DC 20037

## FORMALITIES LETTER



\*OC000000012937157\*

Date Mailed: 06/14/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/18/2004 MAHRED1 00000113 10766014

FILED UNDER 37 CFR 1.53(b)

01 FC:1051 130.00 OP  
 02 FC:1053 130.00 OP

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 1-3, 8.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$260** for a Large Entity

- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

Replies should be mailed to:    Mail Stop Missing Parts  
   Commissioner for Patents  
   P.O. Box 1450  
   Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE